

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**RE: RODNEY SIDES**

**BANKRUPTCY CASE NO. 13-13001**

**WHEELER & FRANKS LAW FIRM, P.C.  
PLAINTIFF**

**VS.**

**RODNEY SIDES,  
DEFENDANT**

**ADVERSARY PROCEEDING NO. \_\_\_\_\_**

**COMPLAINT TO DENY DISCHARGEABILITY OF PARTICULAR INDEBTEDNESS**

Petitioner, Wheeler & Franks Law Firm, P.C., (hereinafter referred to as "Petitioner") files this Complaint to Deny the Dischargeability of Particular Indebtedness due the Petitioner from the Debtor/Defendant, Rodney Sides, (hereinafter referred to as "Debtor") and complains as follows:

1. Petitioner, Wheeler & Franks Law Firm, P.C., is a Mississippi business operating in Lee County, Mississippi. The Debtor is an adult resident citizen of Lee County, Mississippi whose address is 4833 Mt. Vernon Rd., Tupelo, MS 38801, the address listed on his Chapter 7 petition filed on July 23, 2013. Pursuant to Rule 7004(b)(9), service upon the Debtor may be achieved by mailing this Complaint to the Debtor's attorney.

2. This court has jurisdiction over the subject matter herein and the parties hereto pursuant to 28 U.S.C. § 1334, 11 U.S.C. § 523, Rule 7001 et seq. of the Federal Rules of Bankruptcy Procedure , along with other related statutes and rules. This core proceeding is defined by 28 U.S.C. § 157(b)(2)(A) and (I).

3. On or about April 12, 2011, Petitioner brought suit against Defendant/Debtor Rodney Sides in the Circuit Court of Lee County, Mississippi, Cause No. CV11-056(R)L the style of said matter being Wheeler & Franks Law Firm, P.C. vs. Wendy Hellums, Randy Sides,

Rodney Sides, Danny Hellums, and Fictitious Defendants “A”, “B”, and “C”, Being the Individuals, Persons, and Accomplices That Caused the Plaintiff Damages. This suit is still pending.

4. The actions of the Debtor, at the expense of the Petitioner, are non-dischargeable pursuant to 11 U.S.C. § 523. As such, the Petitioner is entitled to judgment denying the Debtor’s discharge of the debt(s) owed to the Petitioner.

The Petitioner expressly reserves the right to amend this Complaint seeking further relief against Debtor.

WHEREFORE, the Petitioner respectfully requests the entry of a nondischargeable judgment against the Debtor/Defendant in favor of the Petitioner, plus all over pre and post judgment interest and attorneys fees as may be allowed by law. The Petitioner prays for such other general and specific relief as this Court may deem just.

Respectfully requested,

WHEELER & FRANKS LAW FIRM, P.C.

/s/ James R. Franks, Jr. \_\_\_\_\_

William R. Wheeler, Jr. or  
James R. Franks, Jr.

**CERTIFICATE OF SERVICE**

I, James R. Franks, Jr., do hereby certify that I have this day served a true and correct copy of the above and foregoing Complaint to Deny Dischargeability of Particular Indebtedness to the following:

Rodney Sides  
4833 Mt. Vernon Rd.  
Tupelo, MS 38801

Honorable Selene Maddox, Trustee  
P.O. Box 1432  
Columbus, MS 3973-1432

Office of the United States Trustee  
501 E. Court St.  
Ste. 6-43  
Jackson, MS 39201

Kimberly Brown Bowling, Esq.  
P.O. Box 7177  
Tupelo, MS 38802

This the 4th day of November, 2013.

/s/ James R. Franks, Jr.  
JAMES R. FRANKS, JR.